

CONFERENCE COMMITTEE REPORT DIGEST FOR ESB 501

Citations Affected: IC 20-12; noncode.

Synopsis: Educational facilities and funding. Conference committee report for ESB 501. Prohibits Vincennes University and Ivy Tech State College from taking any action that frustrates the goals of the community college system. Provides authorization for the budget agency to enter into a lease (after meeting certain conditions) with the Columbus Learning Center Management Corporation. Gives the trustees of Vincennes University bonding authority for a Technology Building, a Performing Arts Center, and a Recreation Building. Removes the freeze on student tuition and academic facilities fees at Vincennes University and Ivy Tech State College. Allows bonding for medical research facilities associated with a school of medicine. Requires the state to convey certain property in Allen County owned by the state to Ivy Tech State College. (This conference committee report: (1) Removes Vincennes University from the participating entities for the Columbus Learning Center. (2) Removes University of Southern Indiana bonding authority for a library/classroom expansion and renovation and Indiana University bonding authority to acquire the University Place Hotel. (3) Changes the effective date of the Ivy Tech and Vincennes University fee freeze removal. (4) Adds language requiring the conveyance of property in Allen County to Ivy Tech.)

Effective: Upon passage; April 1, 2002; July 1, 2002.

Adopted

Rejected

CONFERENCE COMMITTEE REPORT

MR. SPEAKER:

Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill No. 501 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Page 3, delete lines 15 through 27.
- 2 Page 4, delete line 5.
- 3 Page 5, delete lines 14 through 23.
- 4 Page 5, line 24, delete "[EFFECTIVE JULY 1, 2002]" and insert
- 5 "[EFFECTIVE APRIL 1, 2002]".
- 6 Page 5, between lines 34 and 35, begin a new paragraph and insert:
- 7 "SECTION 6. [EFFECTIVE JULY 1, 2002] (a) **As used in this**
- 8 **SECTION, "commissioner" refers to the commissioner of the**
- 9 **Indiana department of administration.**
- 10 (b) **As used in this SECTION, "department" refers to the Indiana**
- 11 **department of administration created by IC 4-13-1-2.**
- 12 (c) **As used in this SECTION, "grantee" refers to Ivy Tech State**
- 13 **College.**
- 14 (d) **As used in this SECTION, "parcel 1" refers to the following**
- 15 **described real estate:**
- 16 **Part of the Southwest Quarter of Section 20, Township 31**
- 17 **North, Range 13 East of the Second Principal Meridian in**
- 18 **Allen County, Indiana, more particularly described as follows:**
- 19 **Commencing at a 1 inch brass pin found at the Southwest**
- 20 **corner of the Southwest Quarter; thence North 00 degrees, 42**
- 21 **minutes, 00 seconds West, (assumed bearing and basis of**

1 bearings to follow), a distance of 875.00 feet along the West line
 2 of the Southwest Quarter and the centerline of St. Joe Road;
 3 thence North 89 degrees, 18 minutes, 00 seconds East, a
 4 distance of 81.20 feet to an east right-of-way line of St. Joe
 5 Road; thence North 65 degrees, 31 minutes, 43 seconds East, a
 6 distance of 12.80 feet along the right-of-way line to an east
 7 right-of-way line of St. Joe Road; thence North 00 degrees, 30
 8 minutes, 32 seconds West, a distance of 54.84 feet along the
 9 right-of-way line to a 5/8 inch steel rebar set at the POINT OF
 10 BEGINNING of this description; thence continuing North 00
 11 degrees, 30 minutes, 32 seconds West, a distance of 2.16 feet
 12 along the right-of-way line to a 5/8 inch steel rebar set; thence
 13 North 66 degrees, 32 minutes, 47 seconds West, a distance of
 14 49.24 feet along the right-of-way line to a 5/8 inch steel rebar
 15 set; thence North 00 degrees, 30 minutes, 32 seconds West, a
 16 distance of 25.65 feet along the right-of-way line to a tangent
 17 curve, concave to the East, having a radius of 3774.72 feet;
 18 thence northerly along the curve and the right-of-way line a
 19 distance of 245.63 feet, having a central angle of 03 degrees, 43
 20 minutes, 42 seconds, and a chord of 245.58 feet bearing North
 21 01 degrees, 21 minutes, 19 seconds East to a 5/8 inch steel rebar
 22 set at the point of tangency; thence North 03 degrees, 13
 23 minutes, 10 seconds East, a distance of 39.33 feet along the
 24 right-of-way line to a 5/8 inch steel rebar set on a tangent
 25 curve, concave to the West, having a radius of 3864.72 feet;
 26 thence northerly along the curve and the right-of-way line a
 27 distance of 66.73 feet, having a central angle of 00 degrees, 59
 28 minutes, 21 seconds, and a chord of 66.72 feet bearing North 02
 29 degrees, 43 minutes, 29 seconds East to a 5/8 inch steel rebar
 30 set; thence North 89 degrees, 18 minutes, 00 seconds East, a
 31 distance of 95.95 feet to a 5/8 inch steel rebar set; thence North
 32 00 degrees, 42 minutes, 00 seconds West, a distance of 50.00
 33 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 18
 34 minutes, 00 seconds West, a distance of 93.72 feet to a 5/8 inch
 35 steel rebar set on the east right-of-way line of St. Joe Road,
 36 also being a nontangent curve, concave to the West, having a
 37 radius of 3864.72 feet; thence northerly along the curve and
 38 the right-of-way line a distance of 160.56 feet, having a central
 39 angle of 02 degrees, 22 minutes, 50 seconds, and a chord of
 40 160.56 feet bearing North 00 degrees, 17 minutes, 53 seconds
 41 East to a 5/8 inch steel rebar set at the point of tangency;
 42 thence North 00 degrees, 53 minutes, 32 seconds West, a
 43 distance of 476.10 feet along the east right-of-way line to a 5/8
 44 inch steel rebar set; thence South 86 degrees, 42 minutes, 36
 45 seconds East, a distance of 343.35 feet to a 5/8 inch steel rebar
 46 set; thence South 89 degrees, 07 minutes, 22 seconds East, a
 47 distance of 223.92 feet to a 5/8 inch steel rebar set; thence
 48 South 00 degrees, 52 minutes, 38 seconds West, a distance of
 49 46.59 feet to a 5/8 inch steel rebar set; thence North 89 degrees,
 50 17 minutes, 51 seconds East, a distance of 44.11 feet to a 5/8
 51 inch steel rebar set; thence South 00 degrees, 42 minutes, 09

seconds East, a distance of 360.32 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 17 minutes, 51 seconds West, a distance of 65.00 feet; thence South 00 degrees, 42 minutes, 09 seconds East, a distance of 60.00 feet; thence North 89 degrees, 17 minutes, 51 seconds East, a distance of 65.00 feet to a 5/8 inch steel rebar set; thence South 00 degrees, 42 minutes, 09 seconds East, a distance of 264.24 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 17 minutes, 51 seconds West, a distance of 41.74 feet to a 5/8 inch steel rebar set; thence South 01 degrees, 02 minutes, 54 seconds East, a distance of 38.87 feet to a 5/8 inch steel rebar set; thence North 89 degrees, 17 minutes, 51 seconds East, a distance of 41.66 feet; thence North 01 degrees, 02 minutes, 54 seconds West, a distance of 25.48 feet to a 5/8 inch steel rebar set; thence North 88 degrees, 57 minutes, 06 seconds East, a distance of 657.00 feet to a 5/8 inch steel rebar set; thence South 01 degrees, 06 minutes, 51 seconds East, a distance of 250.49 feet to a 5/8 inch steel rebar set; thence South 88 degrees, 58 minutes, 30 seconds West, a distance of 656.47 feet to a 5/8 inch steel rebar set at a tangent curve, concave to the South, having a radius of 860.00 feet, thence westerly along the curve, a distance of 211.44 feet, having a central angle of 14 degrees, 05 minutes, 11 seconds, and a chord of 210.90 feet bearing South 81 degrees, 55 minutes, 54 seconds West to a 5/8 inch steel rebar set at the point of tangency; thence South 74 degrees, 53 minutes, 19 seconds West, a distance of 55.77 feet to a 5/8 inch steel rebar set at a tangent curve, concave to the North, having a radius of 640.00 feet, thence westerly along the curve, a distance of 160.98 feet, having a central angle of 14 degrees, 24 minutes, 42 seconds, and a chord of 160.56 feet bearing South 82 degrees, 05 minutes, 39 seconds West to a 5/8 inch steel rebar set at the point of tangency; thence South 89 degrees, 18 minutes, 00 seconds West, a distance of 163.18 feet to the POINT OF BEGINNING. Containing 18.224 acres, more or less.

(e) As used in this SECTION, "parcel 2" refers to the following described real estate:

Part of the Southwest Quarter of Section 20, Township 31 North, Range 13 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows: Commencing at a 1 inch brass pin found at the Southwest corner of the Southwest Quarter; thence North 00 degrees, 42 minutes, 00 seconds West, (assumed bearing and basis of bearings to follow), a distance of 875.00 feet along the West line of the Southwest Quarter and the centerline of St. Joe Road; thence North 89 degrees, 18 minutes, 00 seconds East, a distance of 81.20 feet to a east right-of-way line of St. Joe Road, also being the POINT OF BEGINNING of this description; thence North 65 degrees, 31 minutes, 43 seconds East, a distance of 12.80 feet along the right-of-way line to a east right-of-way line of St. Joe Road to a 5/8 inch steel rebar set; thence North 00 degrees, 30 minutes, 32 seconds West, a

distance of 54.84 feet along the right-of-way line to a 5/8 inch steel rebar set; thence North 89 degrees, 18 minutes, 00 seconds East, a distance of 163.18 feet to a 5/8 inch steel rebar set at a tangent curve, concave to the North, having a radius of 640.00 feet, thence easterly along the curve a distance of 160.98 feet, having a central angle of 14 degrees, 24 minutes, 42 seconds, and a chord of 160.56 feet bearing North 82 degrees, 05 minutes, 39 seconds East to a 5/8 inch steel rebar set at the point of tangency; thence North 74 degrees, 53 minutes, 19 seconds East, a distance of 55.77 feet to a 5/8 inch steel rebar set at a tangent curve, concave to the South, having a radius of 860.00 feet; thence easterly along the curve a distance of 211.44 feet, having a central angle of 14 degrees, 05 minutes, 11 seconds, and a chord of 210.90 feet bearing North 81 degrees, 55 minutes, 54 seconds East to a 5/8 inch steel rebar set at the point of tangency; thence North 88 degrees, 58 minutes, 30 seconds East, a distance of 656.47 feet to a 5/8 inch steel rebar set; thence North 01 degrees, 06 minutes, 51 seconds West, a distance of 250.49 feet to a 5/8 inch steel rebar set; thence North 88 degrees, 57 minutes, 06 seconds East, a distance of 50.00 feet to a 5/8 inch steel rebar set; thence South 01 degrees, 06 minutes, 51 seconds East, a distance of 310.56 feet to a 5/8 inch steel rebar set; thence South 88 degrees, 58 minutes, 30 seconds West, a distance of 706.56 feet to a 5/8 inch steel rebar set at a tangent curve, concave to the South, having a radius of 800.00 feet, thence westerly along the curve, a distance of 196.68 feet, having a central angle of 14 degrees, 05 minutes, 11 seconds, and a chord of 196.19 feet bearing South 81 degrees, 55 minutes, 54 seconds West to a 5/8 inch steel rebar set at the point of tangency; thence South 74 degrees, 53 minutes, 19 seconds West, a distance of 55.77 feet to a 5/8 inch steel rebar set at a tangent curve, concave to the North, having a radius of 700.00 feet, thence westerly along the curve, a distance of 176.07 feet, having a central angle of 14 degrees, 24 minutes, 42 seconds, and a chord of 175.61 feet bearing South 82 degrees, 05 minutes, 39 seconds West to a 5/8 inch steel rebar set at the point of tangency; thence South 89 degrees, 18 minutes, 00 seconds West, a distance of 175.07 feet to the POINT OF BEGINNING. Containing 2.076 acres, more or less.

(f) As used in this SECTION, "parcel 3" refers to the following described real estate:

Part of the Southwest Quarter of Section 20, Township 31 North, Range 13 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows: Commencing at a 1 inch brass pin found at the Southwest corner of the Southwest Quarter; thence North 00 degrees, 42 minutes, 00 seconds West, (assumed bearing and basis of bearings to follow), a distance of 2303.57 feet along the West line of the Southwest Quarter and the centerline of St. Joe Road; thence North 89 degrees, 06 minutes, 28 seconds East, a distance of 66.22 feet to a 5/8 inch steel rebar set on the east

right-of-way line of St. Joe Road, also being the POINT OF BEGINNING of this description; thence North 00 degrees, 53 minutes, 32 seconds West, a distance of 50.00 feet along the right-of-way line to a 5/8 inch steel rebar set; thence North 89 degrees, 06 minutes, 28 seconds East, a distance of 198.29 feet; thence South 01 degrees, 15 minutes, 11 seconds East, a distance of 297.44 feet to a 5/8 inch steel rebar set; thence South 86 degrees, 42 minutes, 36 seconds East, a distance of 145.25 feet to a PK Nail set; thence South 89 degrees, 07 minutes, 22 seconds East, a distance of 314.36 feet to a 5/8 inch steel rebar set; thence South 00 degrees, 42 minutes, 09 seconds East, a distance of 791.69 feet to a 5/8 inch steel rebar set; thence South 88 degrees, 57 minutes, 06 seconds West, a distance of 50.00 feet to a 5/8 inch steel rebar set; thence South 01 degrees, 02 minutes, 54 seconds East, a distance of 25.48 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 17 minutes, 51 seconds West, a distance of 41.66 feet to a 5/8 inch steel rebar set; thence North 01 degrees, 02 minutes, 54 seconds West, a distance of 38.87 feet to a 5/8 inch steel rebar set; thence North 89 degrees, 17 minutes, 51 seconds East, a distance of 41.74 feet to a 5/8 inch steel rebar set; thence North 00 degrees, 42 minutes, 09 seconds West, a distance of 264.24 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 17 minutes, 51 seconds West, a distance of 65.00 feet to a 5/8 inch steel rebar set; thence North 00 degrees, 42 seconds 09 seconds West, a distance of 60.00 feet to a 5/8 inch steel rebar set; thence North 89 degrees, 17 minutes, 51 seconds East, a distance of 65.00 feet to a 5/8 inch steel rebar set; thence North 00 degrees, 42 minutes, 09 seconds West, a distance of 743.35 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 17 minutes, 51 seconds West, a distance of 44.11 feet to a 5/8 inch steel rebar set; thence North 00 degrees, 52 minutes, 38 seconds East, a distance of 46.59 feet to a 5/8 inch steel rebar set; thence North 89 degrees, 07 minutes, 22 seconds West, a distance of 223.93 feet to a PK Nail set; thence North 86 degrees, 42 minutes, 36 seconds West, a distance of 303.54 feet to a 5/8 inch steel rebar set; thence North 03 degrees, 17 minutes, 24 seconds East, a distance of 50.00 feet to a 5/8 inch steel rebar set; thence South 86 degrees, 42 minutes, 36 seconds East, a distance of 107.08 feet to a 5/8 inch steel rebar set; thence North 01 degrees, 15 minutes, 11 seconds West, a distance of 243.78 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 06 minutes, 28 seconds West, a distance of 148.61 feet to the POINT OF BEGINNING. Containing 2.245 acres, more or less.

(g) As used in this SECTION, "parcel 4" refers to the following described real estate:

Part of the Southwest Quarter of Section 20, Township 31 North, Range 13 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows: Commencing at a 1 inch brass pin found at the Southwest

corner of the Southwest Quarter; thence North 00 degrees, 42 minutes, 00 seconds West, (assumed bearing and basis of bearings to follow), a distance of 1334.23 feet along the west line of the Southwest Quarter and the centerline of St. Joe Road; thence North 89 degrees, 18 minutes, 00 seconds East, a distance of 63.73 feet to a 5/8 inch steel rebar set on the east right-of-way line of St. Joe Road, this point also being the POINT OF BEGINNING of this description, also being on a non-tangent curve, concave to the West, having a radius of 3864.72 feet; thence northerly along the curve and the right-of-way line a distance of 50.05 feet, having a central angle of 00 degrees, 44 minutes, 31 seconds, and a chord of 50.05 feet bearing North 01 degrees, 51 minutes, 33 seconds East to a 5/8 inch steel rebar set; thence North 89 degrees, 18 minutes, 00 seconds East, a distance of 93.72 feet to a 5/8 inch steel rebar set; thence South 00 degrees, 42 minutes, 00 seconds East, a distance of 50.00 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 18 minutes, 00 seconds West, a distance of 95.95 feet to the POINT OF BEGINNING. Containing 0.109 acres, more or less.

(h) The governor and the commissioner are authorized and directed on behalf of and in the name of the state of Indiana to convey parcel 1 to the grantee. The conveyance of parcel 1 shall be made without consideration.

(i) Conveyance of parcel 1 is subject to the following:

(1) Highways, easements, and restrictions of record.

(2) Use of parcel 1 by the grantee for the future growth and development of Ivy Tech State College in Fort Wayne, Indiana.

(j) If parcel 1 is used for any purpose other than for the future growth and development of Ivy Tech State College in Fort Wayne, Indiana, title to parcel 1 reverts to the state of Indiana, subject to subsection (k).

(k) The reversionary interest of the state described in subsection (j) is subject to any recorded liens and encumbrances on parcel 1 that result from an unsatisfied indebtedness incurred by the grantee to improve parcel 1 to carry out the purposes stated in subsection (i)(2).

(l) The conveyance under this SECTION must comply with IC 4-20.5-7 to the extent that IC 4-20.5-7 does not conflict with the intent of this SECTION, which is to provide for the transfer of parcel 1 to the grantee. The department shall have a quitclaim deed prepared to convey parcel 1 to the grantee. The deed must state the restrictions and conditions contained in subsections (i), (j), and (k). The commissioner and the governor shall sign the deed, and the seal of the state shall be affixed to the deed.

(m) The department shall deliver the completed deed to the grantee. The grantee shall have the deed recorded in Allen County, Indiana.

(n) The governor and the commissioner are authorized and directed on behalf of and in the name of the state of Indiana to grant easements to the grantee in parcel 2, parcel 3, and parcel 4

1 for the grantee and its invitees to have ingress to and egress from
2 parcel 1 and to have access to utilities. The grant shall be made
3 without consideration. The easements are subject to highways,
4 other easements, and restrictions of record.

5 (o) The grantee shall have the easements recorded in Allen
6 County, Indiana.

7 (p) The easements granted under subsection (n) must comply
8 with IC 4-20.5-7 to the extent that IC 4-20.5-7 does not conflict
9 with the intent of this SECTION for the grantee and its invitees to
10 have adequate ingress to and egress from parcel 1 and to have
11 access to utilities.

12 (r) This SECTION expires July 1, 2007."

13 Renumber all SECTIONS consecutively.

(Reference is to ESB 501 as reprinted February 26, 2002.)

Conference Committee Report
on
Engrossed Senate Bill 501

Signed by:

Senator Meeks R
Chairperson

Representative Gregg

Senator Simpson

Representative Espich

Senate Conferees

House Conferees